

**SARAH BORCHGREVINK, §  
REPRESENTATIVE OF THE ESTATE OF §  
MATTHEW RYAN SHELTON, §  
DECEASED §  
and MARIANNA RUTH THOMSON, §  
statutory wrongful death beneficiary of §  
MATTHEW RYAN SHELTON, §  
DECEASED §**

**VS.**

## Defendants.



**CIVIL ACTION NO.: 4:23-cv-03198**

3. Defendant Harris County admits Marianna Ruth Thomson sues in her capacity as a statutory beneficiary under the Texas Wrongful Death Act. Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this

paragraph.

4. Admit.

5. Defendant Harris County admits it is a political subdivision of the State of Texas.

Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant.

6. Admit.

7. Admit.

8. Admit.

9. Admit.

10. Admit.

11. Admit.

12. Admit.

13. Admit.

14. Admit.

15. Admit.

16. Admit.

17. Admit.

18. Admit.

19. Admit.

20. Admit.

21. Admit.

22. Admit.

23. Admit.

24. Admit.

## **II. JURISDICTION AND VENUE**

25. This paragraph contains legal conclusions as to jurisdiction to which no response is required. To the extent a response is deemed necessary, Harris County admits that this Court has jurisdiction under the 28 U.S.C. §1331.

26. The allegations in this paragraph of the complaint are conclusions of law and of the pleader, and as such, requires no response. To the extent a response is required, Defendant Harris County admits that venue is proper in this Court.

## **III. FACTS**

27. Defendant Harris County admits Matthew Shelton died of diabetic ketoacidosis. Except as admitted, Defendant Harris County denies the remaining allegations in this paragraph.

28. Harris County denies the allegations in this paragraph.

29. Harris County denies the allegations in this paragraph.

30. Harris County denies the allegations in this paragraph.

### **A. Harris County denies the allegations in this heading.**

31. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

32. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations

in this paragraph.

33. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

34. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

35. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

36. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

37. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

38. Defendant Harris County denies the allegations in this paragraph.

39. Defendant Harris County admits that Mr. Shelton voluntarily turned himself in to the Harris County Sheriff's Office and had insulin on his person that was confiscated at the time of booking. Except as admitted, Defendant Harris County denies the remaining allegations in this paragraph.

40. Harris County admits Harris Health conducted a study to take over medical care at

the Harris County Jail, effective March 1, 2022, and as part of the transition, medical personnel previously employed by Harris County became Harris Health employees.

41. Admit.

42. Harris County admits Mr. Shelton informed an intake officer during the screening process that he was a diabetic who took medication for diabetes and high blood pressure. Harris County admits this information was input into the medical screening form of the Offender Management System.

43. Defendant Harris County denies the allegations in this paragraph as to this Defendant.

44. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.

45. Defendant Harris County admits insulin for detainees at the Harris County Jail is stored and administered by Harris Health staff. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph.

46. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent an answer is required from this Defendant, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.

47. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent an answer is required from this Defendant, Defendant Harris County admits Mr. Shelton was accepted for

booking and his high blood glucose treated in the JPC/Harris County Jail.

48. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent an answer is required from this Defendant, Defendant Harris County denies any allegations in this paragraph against this Defendant.

49. Defendant Harris County denies the allegations in this paragraph as to this Defendant.

50. Defendant Harris County makes no answer to the allegations in this paragraph, as those allegations are not directed against this defendant.

51. Defendant Harris County denies the allegations in this paragraph as to this Defendant.

52. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent an answer is required from this Defendant, Defendant Harris County denies the allegations in this paragraph as to this Defendant.

53. Defendant Harris County admits it originally contracted with PRI prior to March 1, 2022, for the services of a physician who would always remain an independent contractor. Except as admitted, Defendant Harris County denies the remaining allegations in this paragraph.

54. Defendant Harris County admits Harris Health took over direct control of medical care at the jail on March 1, 2022. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as those allegations are not directed against this

defendant.

55. Defendant Harris County admits a policy was in place by and through the medical provider for ordering insulin for detainees. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as those allegations are not directed against this defendant.

56. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

57. Defendant Harris County admits a policy was in place by and through the medical provider for ordering blood glucose for diabetic detainees. Except as admitted, Defendant Harris County denies the remaining allegations in this paragraph.

58. Defendant Harris County denies the allegations in this paragraph.

59. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

60. Defendant Harris County denies the allegations in this paragraph.

61. Defendant Harris County denies the allegations in this paragraph.

62. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

63. Defendant Harris County denies it was the County's policy to take blood glucose only twice a day for only three days. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant.

64. Defendant Harris County makes no answer to these allegations in this paragraph, as

these allegations are not directed against this defendant.

65. Defendant Harris County denies the allegations in this paragraph against this Defendant. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant.

66. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

67. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

68. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

69. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

70. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

71. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.

72. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

73. Defendant Harris County admits there was a policy in place to provide medication to detainees. Harris County denies the actions of PA Hendrickson wer consistent with a Harris County policy or practice. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this



defendant.

74. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

75. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

76. Defendant Harris County denies having a policy, practice, and training of measuring blood glucose no more than twice a day. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant.

77. Defendant Harris County admits to contracting with Vista, prior to March 1, 2022, for medical provider services. Except as admitted, Defendant Harris County denies the remaining allegations against this Defendant in this paragraph.

78. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

79. Admit.

80. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.

81. Defendant Harris County denies the allegations in this paragraph.

82. Admit.

83. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

84. Defendant Harris County admits Mr. Shelton did not receive repeating doses of

insulin, repeating blood glucose checks, diabetic meals and snacks, and appointments with specialists and was entitled to reasonable accommodations to access the jail's various programs and services. Harris County denies Mr. Shelton did not receive these accommodations because of his disability.

85. Defendant Harris County denies the allegations in this paragraph.

86. Defendant Harris County denies the allegations in this paragraph.

87. Defendant Harris County denies the allegations in this paragraph.

88. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

89. Defendant Harris County admits that in March 2022 new house assessments were completed on paper by staff. Except as admitted, Defendant Harris County denies the remaining allegations in this paragraph.

90. Defendant Harris County denies the allegations in this paragraph.

91. Defendant Harris County denies the allegations in this paragraph. Harris County jail employees (detention officers) do not have access to detainee jail medical records. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant.

92. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph.

93. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

94. Defendant Harris County admits a policy was in place by and through the medical

provider for ordering insulin for detainees. Except as admitted, Defendant Harris County denies the remaining allegations against this Defendant in this paragraph. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as those allegations are not directed against this defendant.

95. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

96. Defendant Harris County denies it had a policy, practice, and training not to issue orders of insulin until New House assessment. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as those allegations are not directed against this defendant.

97. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

98. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

99. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

100. Defendant Harris County denies it had a policy or practice to treat blood glucose over 300 mg/dL but under 350 mg/dL as normal and to provide no medical intervention. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as those allegations are not directed against this defendant.

101. Defendant Harris County denies the allegations in this paragraph.

102. Defendant Harris County makes no answer to these allegations in this paragraph, as

these allegations are not directed against this defendant.

103. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

104. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

105. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

106. Defendant Harris County denies the allegations in this paragraph.

107. Defendant Harris County admits Mr. Shelton was transferred out of JPC. Except as admitted, Defendant Harris County denies the remaining allegations against this Defendant in this paragraph.

108. Defendant Harris County admits Mr. Shelton was assigned to the 1200 Baker Street building. Except as admitted, Defendant Harris County denies the remaining allegations against this Defendant in this paragraph.

109. Defendant Harris County admits that in March 2022 it was still implementing Covid-19 quarantine protocols that required incoming detainees to be placed in single bed cells and that Mr. Shelton was assigned to a single bed cell in the 2L1 pod in 1200 Baker. Except as admitted, Defendant Harris County denies the remaining allegations against this Defendant in this paragraph.

110. Defendant Harris County admits new detainees in single cells for quarantine were allowed out their cell for one hour a day. Except as admitted, Defendant Harris County denies the remaining allegations against this Defendant in this paragraph.

111. This paragraph contains conclusions of law to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations in this paragraph.

112. Admit.

113. Defendant Harris County denies the allegations in this paragraph.

114. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. Harris County did not have any LVN employees at the time of this incident.

115. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. Harris County did not have any LVN employees at the time of this incident.

116. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. Harris County did not have any LVN employees at the time of this incident.

117. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. Harris County did not have any LVN employees at the time of this incident.

118. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. Harris County did not have any LVN employees at the time of this incident.

119. Defendant Harris County denies the allegations in this paragraph. Harris County did not have any LVN employees at the time of this incident.

120. Defendant Harris County admits LVNs with the insulin cart had to be accompanied by Harris County detention officers. Except as admitted, Defendant Harris County denies the remaining allegations against this Defendant in this paragraph.

121. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent an answer is required from this Defendant, Harris County admits that on March 23, 2022, Mr. Shelton's name was on the blood glucose list and not the insulin list.

122. Defendant Harris County denies the allegations against it in this paragraph.

123. Admit.

124. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

125. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

126. Defendant Harris County denies the allegations in this paragraph against this Defendant.

127. Defendant Harris County denies the allegations in this paragraph against this Defendant.

128. Defendant Harris County denies the allegations in this paragraph against this Defendant.

129. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

130. Defendant Harris County denies the allegations in this paragraph against this

Defendant.

131. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

132. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

133. Defendant Harris County denies the allegations in this paragraph against this Defendant.

134. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

135. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

136. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

137. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

138. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

139. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

140. Defendant Harris County makes no answer to these allegations in this paragraph, as

these allegations are not directed against this defendant.

141. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

142. Admit.

143. Admit.

144. Defendant Harris County denies the allegations in this paragraph.

145. Defendant Harris County denies the allegations in this paragraph.

146. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

147. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

148. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

149. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

150. This paragraph contains legal conclusions to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations and denies it is liable to the Plaintiff in damages. Defendant Harris County makes no answer to



the remaining allegations in this paragraph, as these allegations are not directed against this defendant.

151. Defendant Harris County denies the allegations in this paragraph against this Defendant.

152. This paragraph contains legal conclusions to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations and denies it is liable to the Plaintiff in damages.

153. Defendant Harris County denies the allegations in this paragraph against this Defendant.

154. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

155. Defendant Harris County denies the allegations in this paragraph against this Defendant.

156. This paragraph contains legal conclusions to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations asserted against this Defendant and denies it is liable to the Plaintiff in damages. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant.

157. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

158. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

159. Defendant Harris County denies the allegations asserted against this Defendant. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant.

160. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

161. Defendant Harris County denies the allegations in this paragraph against this Defendant.

162. Defendant Harris County denies the allegations in this paragraph against this Defendant.

163. Defendant Harris County denies the allegations in this paragraph against this Defendant.

164. Defendant Harris County admits Mr. Shelton spoke with his sister on or about March 24, 2022, and informed her that he was not on the list to receive insulin.

165. Defendant Harris County admits Mr. Shelton informed his sister he could not receive insulin until he saw a doctor. Except as admitted, Defendant Harris County denies the remaining allegations in this paragraph.

166. Defendant Harris County admits Mr. Shelton told his sister he would refrain from eating to control his blood sugar until he saw a doctor.

167. Defendant Harris County admits Mr. Shelton was in a single cell on March 25, 2022. Except as admitted, Defendant Harris County denies the remaining allegations in this paragraph.

168. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

169. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

170. Defendant Harris County denies the allegations in this paragraph against this Defendant.

171. Defendant Harris County denies the allegations in this paragraph against this Defendant. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant.

172. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

173. Defendant Harris County admits that in March 2022, detention officers logged observation checks using a program called CorreTrack.

174. Defendant Harris County admits that on March 24, 2022, the named detention officers used CorreTrak to log rounds for observing detainees on 2L1.

175. Defendant Harris County denies the allegations in this paragraph.

176. Defendant Harris County admits that the times reflected in the CorreTrak Rounds activity record for March 25, 2022 reflect the time that each detention officer conducted an observation round in 2L1. Except as admitted, Defendant Harris County denies the remaining allegations against this Defendant in this paragraph.

177. Defendant Harris County denies the allegations against this Defendant in this paragraph.

178. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

179. Defendant Harris County denies the allegations in this paragraph against this Defendant.

180. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

181. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

182. Defendant Harris County denies the allegations in this paragraph.

183. Defendant Harris County denies the allegations in this paragraph.

184. Defendant Harris County makes no answer to these allegations in this paragraph, as

these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

185. Defendant Harris County denies it had a practice of its detention officers deliberately and intentionally failing or refusing to stop at cells to check if a detainee was in medical distress. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the remaining allegations in this paragraph.

186. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

187. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant.

188. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

189. Defendant Harris County makes no answer to these allegations in this paragraph, as

these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

190. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

191. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

192. Admit.

193. Defendant Harris County denies the allegation that it had a practice of detention officers logging observation checks logged in as other officers. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

194. Defendant Harris County denies the allegation that it had a practice of not assessing each individual detainee for signs of distress during observation checks. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

195. This paragraph contains legal conclusions to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies it intentionally destroyed surveillance video evidence and denies it had a practice of refusing to observe detainees for signs of distress at least hourly. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant.

196. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

197. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph,

and on that basis, denies the allegations in this paragraph.

198. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

199. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

200. Defendant Harris County denies the allegations in this paragraph.

201. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

202. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

203. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris



County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

204. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

205. Admit.

206. Admit.

207. Defendant Harris County denies the allegation that it has a practice of detention officers logging observation checks logged in as other officers. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

208. Defendant Harris County denies the allegation that it has a practice of not assessing each individual detainee for signs of distress during observation checks. Defendant Harris County admits fifteen observation checks were logged between 6:41 a.m. and 6:22 p.m. on March 26, 2022 by detention officers.

209. Defendant Harris County makes no answer to these allegations in this paragraph, as

these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

210. Defendant Harris County makes no answer to these allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

211. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

212. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

213. Defendant Harris County denies the allegations in this paragraph.

214. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris

County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

215. Defendant Harris County denies the allegations in this paragraph.

216. Defendant Harris County denies the allegations in this paragraph.

217. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

218. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

219. Admit.

220. Admit.

221. Defendant Harris County denies the allegation that it has a practice of detention officers logging observation checks logged in as other officers. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a

belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the remaining allegations in this paragraph.

222. Defendant Harris County denies the allegation that it has a practice of not assessing each individual detainee for signs of distress during observation checks. Defendant Harris County admits six observation checks were logged between 7:18 p.m. and 11:43 p.m. on March 26, 2022 by detention officers.

223. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

224. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

225. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

226. Defendant Harris County makes no answer to the allegations in this paragraph, as

these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

227. Defendant Harris County denies the allegation that it has a practice of detention officers intentionally and deliberately not making observation checks of detainees. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the remaining allegations in this paragraph.

228. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

229. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

230. Defendant Harris County makes no answer to the allegations in this paragraph, as

these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

231. Defendant Harris County denies the allegation that it has a practice of detention officers intentionally and deliberately not making observation checks of detainees. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the remaining allegations in this paragraph.

232. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

233. Defendant Harris County admits Detention Officer Timothy Owens logged an observation round at or around 2:58 a.m. for the 2L1 unit in CorreTrak. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies

the allegations in this paragraph.

234. Defendant Harris County admits Sergeant Alejandro Nieto logged into CorreTrak at or around 3:52 a.m. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

235. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

236. Defendant Harris County denies the allegation that it has a practice of detention officers intentionally and deliberately not making observation checks of detainees. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the remaining allegations in this paragraph.

237. Defendant Harris County denies the allegation that it had a practice of detention officers logging observation checks logged in as other officers. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not

directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

238. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

239. Admit.

240. Defendant Harris County denies the allegations in this paragraph.

241. Defendant Harris County admits Defendants Olguin, Lauder, Woods, and Collins were working on March 27, 2022.

242. Defendant Harris County admits DO Paulino Olguin logged into CorreTrak at or around 6:26 a.m. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

243. Defendant Harris County admits DO Paulino Olguin logged an observation check of Mr. Shelton at or around 7:19 a.m. Defendant Harris County denies the allegation that it has a practice of detention officers intentionally and deliberately not making observation



checks of detainees. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the remaining allegations in this paragraph.

244. Defendant Harris County denies the allegation that it had a practice of detention officers deliberately and intentionally fabricating observation checks. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

245. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

246. Defendant Harris County admits DO Charley Lauder logged into CorreTrak at or around 8:58 a.m. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks

knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

247. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

248. Defendant Harris County admits DO Charley Lauder logged into CorreTrak at or around 9:49 a.m. Defendant Harris County denies the allegation that it had a practice of detention officers deliberately and intentionally fabricating observation checks. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

249. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

250. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

251. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

252. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

253. Defendant Harris County denies the practices alleged in this paragraph. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

254. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

255. Defendant Harris County denies the practices alleged in this paragraph. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information

sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

256. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

257. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

258. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

259. Defendant Harris County denies the allegation that it has a practice of logging false observation checks. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant.

260. Defendant Harris County denies the allegation that it has a practice of fabricating observation checks. Defendant Harris County makes no answer to the remaining

allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

261. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

262. Defendant Harris County denies the allegations in this paragraph against this Defendant.

263. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

264. Defendant Harris County denies the allegations in this paragraph against this Defendant.

265. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in

this paragraph.

266. Defendant Harris County admits Mr. Shelton's body stiffened and rigor mortis set in. Except as admitted, Defendant Harris County denies the remaining allegations in this paragraph.

267. Defendant Harris County denies the allegation that it had a practice of detention officers deliberately and intentionally fabricating observation checks each shift. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

268. Defendant Harris County denies the allegation that it has a practice of detention officers intentionally and deliberately not making observation checks of detainees. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the remaining allegations in this paragraph.

269. Defendant Harris County admits DO Charley Lauder logged an observation check into CorreTrak at or around 2:24 p.m. Defendant Harris County denies the allegation that it had a practice of detention officers deliberately and intentionally not observing detainees. Defendant Harris County makes no answer to the remaining allegations in this paragraph,

as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

270. Admit.

271. Defendant Harris County admits Mr. Shelton's food remained untouched on his panhole shelf, DO Lauder knocked on his cell, there was no response from Mr. Shelton, and DO Lauder signaled for Mr. Shelton's cell door to be opened.

272. Defendant Harris County admits DO Lauder entered Mr. Shelton's cell. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

273. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County admits DO Lauder exited Mr. Shelton's cell, locked up the remaining panholes, and exited 2L1.

274. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

275. Defendant Harris County denies the allegation that it intentionally destroyed video of DO Lauder's movements.

276. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

277. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

278. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

279. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

280. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

281. Defendant Harris County admits rigor mortis had begun to set in on Mr. Shelton's body. Except as admitted, Defendant Harris County denies the remaining allegations in this paragraph.

282. Defendant Harris County admit the named individuals arrived at Mr. Shelton's cell. Except as admitted, Defendant Harris County denies the remaining allegations in this paragraph.

283. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

284. Defendant Harris County admits Mr. Shelton was carried out of his cell on his mattress downstairs to the dayroom of 2L1 and placed on a stretcher. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant.



285. Defendant Harris County admits Harris County staff departed 2L1 to take Mr. Shelton to the clinic. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

286. Defendant Harris County admits Houston Fire Department responded to the Jail to transport Mr. Shelton to the emergency room. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant.

287. Harris County admits Mr. Shelton was not revived and pronounced deceased. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant.

288. Admit.

289. Admit.

290. Defendant Harris County denies the allegations in this paragraph against this Defendant.

291. Defendant Harris County admits a red transit pass dated March 25, 2022 was photographed in Mr. Shelton's cell on top of several food containers after his death. Defendant Harris County admits it was the policy and practice to complete the time the transit pass was issued to a detainee. Defendant Harris County admits the time the pass was issued was blank and the time the inmate arrived at the Clinic and returned from the Clinic was also blank. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

292. Defendant Harris County makes no answer to the allegations in this paragraph, as

these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

293. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

294. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

295. Defendant Harris County denies the jail was insufficiently staffed. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the remaining allegations in this paragraph.

296. Defendant Harris County denies the jail was insufficiently staffed. Defendant Harris County makes no answer to the remaining allegations in this paragraph, as these allegations

are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the remaining allegations in this paragraph.

297. Defendant Harris County denies the allegations in this paragraph.

298. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

299. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

**B. Obvious and Reasonable Accommodations Harris County and Harris Health Made for Type 1 Diabetics after Mr. Shelton's death.**

300. Defendant Harris County denies the allegations in this paragraph as to this Defendant.

301. Defendant Harris County denies the allegations in this paragraph as to this Defendant.

302. Defendant Harris County makes no answer to the allegations in this paragraph, as

these allegations are not directed against this defendant.

303. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

304. Defendant Harris County denies the allegations in this paragraph as to this Defendant.

305. Defendant Harris County denies the allegations in this paragraph as to this Defendant.

306. Defendant Harris County denies the allegations in this paragraph as to this Defendant.

307. Defendant Harris County denies the allegations in this paragraph as to this Defendant.

308. Defendant Harris County denies the allegations in this paragraph as to this Defendant.

309. Defendant Harris County admits Mr. Shelton was identified as a diabetic while he was in the JPC. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

**C. The Texas Commission on Jail Standards Cites Harris County Jail for Noncompliance with Minimum Jail Standards Relating to Prescribing Medications, Including Insulin.**

310. Defendant Harris County admits the Texas Commission on Jail Standards “Commission” investigated and issued a notice of noncompliance dated December 19, 2022. Defendant Harris County admits the Commission required corrective measures to include providing procedures that shall require that a qualified medical professional shall

review as soon as possible any prescription medication an inmate is taking when the inmate is taken into custody and provide each prescription medication that a qualified medical professional or mental health professional determines is necessary for the care, treatment, or stabilization of an inmate with mental illness. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

311. Defendant Harris County denies the allegations in this paragraph as to this Defendant.

312. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

313. Defendant Harris County denies the allegations in this paragraph against this Defendant.

314. Defendant Harris County admits the Texas Commission on Jail Standards inspected the jail in February 2023 and found non-compliance for following health instructions. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

315. Defendant Harris County denies the allegations in this paragraph against this Defendant.

**D. Harris County denies the allegations in this heading.**

316. Defendant Harris County denies the allegations in this paragraph against this Defendant.

317. Defendant Harris County admits Mr. Shelton had onset of rigor mortis that was documented in his medical records.

318. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

319. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

320. Harris County admits it preserved surveillance videos for the date Mr. Shelton was discovered unresponsive and provided those videos to the Commission as part of its in custody death reporting. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

321. Defendant Harris County denies the allegations in this paragraph against this Defendant.

322. Defendant Harris County denies the allegations in this paragraph against this Defendant.

323. Defendant Harris County denies the allegations in this paragraph against this Defendant.

324. Defendant Harris County denies the allegations in this paragraph against this Defendant.

**E. Harris County denies the allegations in this heading.**

325. Defendant Harris County denies the allegations in this paragraph against this Defendant.

326. Defendant Harris County admits the Department of Justice investigated the Harris County jail on or about 2008 and 2009 and issued a report on its findings. Defendant Harris County admits the 2009 report speaks for itself. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

327. Defendant Harris County admits the Department of Justice investigated the Harris County jail and in 2009 issued a report on its findings. Defendant Harris County admits the 2009 report speaks for itself. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

328. Defendant Harris County admits the Department of Justice investigated the Harris County jail and in 2009 issued a report on its findings. Defendant Harris County admits the 2009 report speaks for itself. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

329. Defendant Harris County admits the Department of Justice investigated the Harris County jail and in 2009 issued a report on its findings. Defendant Harris County admits the 2009 report speaks for itself. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

330. Defendant Harris County admits the Department of Justice investigated the Harris County jail and in 2009 issued a report on its findings. Defendant Harris County admits the 2009 report speaks for itself. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

331. Defendant Harris County denies the allegations in this paragraph against this Defendant.

332. Defendant Harris County denies the speculative allegations in this paragraph against this Defendant.

333. Defendant Harris County denies the speculative allegations in this paragraph against this Defendant.

334. Defendant Harris County denies the allegations in this paragraph against this Defendant.

335. Defendant Harris County denies the allegations in this paragraph against this Defendant.

336. Defendant Harris County denies the allegations in this paragraph against this Defendant.

337. Defendant Harris County denies the allegations in this paragraph against this Defendant.

338. Defendant Harris County denies the allegations in this paragraph against this Defendant.

339. Defendant Harris County denies the allegations in this paragraph against this Defendant.

340. Defendant Harris County denies the allegations in this paragraph against this Defendant.

341. Defendant Harris County denies the allegations in this paragraph against this Defendant.

342. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.



343. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

344. Defendant Harris County denies the allegations in this paragraph against this Defendant.

345. Defendant Harris County denies the allegations in this paragraph against this Defendant.

346. Defendant Harris County admits Harris Health conducted a study of possibly taking over medical care at the jail and hired Health Management Associates (HMA) to conduct a preliminary study of the Jail.

347. Defendant Harris County denies the allegations in this paragraph against this Defendant.

348. Defendant Harris County denies the allegations in this paragraph against this Defendant.

349. Defendant Harris County denies the allegations in this paragraph against this Defendant.

350. Defendant Harris County denies the allegations in this paragraph against this Defendant.

351. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

352. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

353. Defendant Harris County admits the Commissioner's Court received a copy of the

HMA report.

354. Admit.

355. Defendant Harris County denies the allegations in this paragraph against this Defendant.

356. Admit.

357. Defendant Harris County denies the allegations in this paragraph against this Defendant.

358. Admit.

359. Admit.

360. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

361. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

362. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

363. Defendant Harris County admits HMA updated its original study and shared its finding with Harris County Sheriff's Office. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

364. Admit.

365. Defendant Harris County denies the allegations in this paragraph against this Defendant.

366. Defendant Harris County makes no answer to the allegations in this paragraph, as

these allegations are not directed against this defendant.

367. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

368. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

369. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

370. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

371. Admit.

372. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

373. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

374. Defendant Harris County denies the allegations in this paragraph against this Defendant.

375. Defendant Harris County denies the allegations in this paragraph against this Defendant.

376. Defendant Harris County denies the allegations in this paragraph against this

Defendant.

377. Defendant Harris County denies the allegations in this paragraph against this Defendant.

378. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

379. Defendant Harris County denies the allegations in this paragraph against this Defendant.

380. Defendant Harris County denies the allegations in this paragraph against this Defendant.

381. Defendant Harris County denies the allegations in this paragraph against this Defendant.

382. Defendant Harris County denies the allegations in this paragraph against this Defendant.

383. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

384. Defendant Harris County denies the allegations in this paragraph against this Defendant.

385. Defendant Harris County denies the allegations in this paragraph against this Defendant.

386. Defendant Harris County denies the allegations in this paragraph against this Defendant.

387. Defendant Harris County denies the allegations in this paragraph against this

Defendant.

388. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

389. Defendant Harris County denies the allegations in this paragraph against this Defendant.

390. Defendant Harris County denies the allegations in this paragraph against this Defendant.

391. Defendant Harris County denies the allegations in this paragraph against this Defendant.

392. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

393. Defendant Harris County denies the allegations in this paragraph against this Defendant.

394. Defendant Harris County denies the allegations in this paragraph against this Defendant.

395. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

396. Defendant Harris County denies the allegations in this paragraph against this Defendant.

397. Defendant Harris County denies the allegations in this paragraph against this Defendant.

398. Defendant Harris County denies the allegations in this paragraph against this Defendant.

399. Defendant Harris County denies the allegations in this paragraph against this Defendant.

400. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

401. Defendant Harris County denies the allegations in this paragraph against this Defendant.

402. Defendant Harris County denies the allegations in this paragraph against this Defendant.

403. Defendant Harris County denies the allegations in this paragraph against this Defendant.

404. Defendant Harris County denies the allegations in this paragraph against this Defendant.

405. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

406. Defendant Harris County denies the allegations in this paragraph against this

Defendant.

407. Defendant Harris County denies the allegations in this paragraph against this Defendant.

408. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the allegations in this paragraph, and on that basis, denies the allegations in this paragraph.

409. Defendant Harris County denies the allegations in this paragraph against this Defendant.

410. Defendant Harris County denies the allegations in this paragraph against this Defendant.

411. Defendant Harris County denies the allegations in this paragraph against this Defendant.

412. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer,

413. Defendant Harris County denies the allegations in this paragraph.

414. Defendant Harris County denies the allegations in this paragraph.

415. Defendant Harris County denies the allegations in this paragraph.

416. Defendant Harris County denies the allegations in this paragraph.

417. Defendant Harris County denies the allegations in this paragraph.

418. Defendant Harris County denies the allegations in this paragraph.

419. Defendant Harris County denies the allegations in this paragraph.

420. Defendant Harris County denies the allegations in this paragraph.

421. Defendant Harris County denies the allegations in this paragraph against this Defendant.

422. Defendant Harris County admits Kristina Smith was booked into the Harris County Jail on April 27, 2022 and acknowledged she was a diabetic on 8 medications.

423. Defendant Harris County admits Ms. Smith was found May 20, 2022 unresponsive on her bunk. Except as admitted, Defendant Harris County denies the remaining allegations in this paragraph.

424. Defendant Harris County admits the individuals in subparagraphs (a.- e.) died in custody of the Harris County Sheriff's Office. Except as admitted, Defendant Harris County denies the remaining allegations in this paragraph to include subparagraphs (a.- e.).

425. Defendant Harris County admits the individuals in subparagraphs (a.- h.) died in custody of the Harris County Sheriff's Office. Except as admitted, Defendant Harris County denies the remaining allegations in this paragraph to include subparagraphs (a.- h.).

426. Defendant Harris County denies the allegations in this paragraph against this Defendant.

427. Defendant Harris County admits the 2009 Department of Justice report speaks for itself. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

428. Defendant Harris County denies the allegations in this paragraph against this



Defendant.

429. Defendant Harris County admits a study was done to transition jail medical care from Harris County to Harris Health. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

430. Defendant Harris County denies the allegations in this paragraph against this Defendant.

431. Admit.

432. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

433. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

434. Defendant Harris County denies the allegations in this paragraph against this Defendant.

435. Defendant Harris County denies the allegations in this paragraph against this Defendant.

436. Defendant Harris County denies the allegations in this paragraph against this Defendant.

437. Defendant Harris County denies the allegations in this paragraph against this Defendant.

438. Defendant Harris County denies the allegations in this paragraph against this Defendant.

439. Defendant Harris County denies the allegations in this paragraph against this

Defendant.

440. Defendant Harris County denies the allegations in this paragraph against this Defendant.

441. Defendant Harris County denies the allegations in this paragraph against this Defendant.

442. Defendant Harris County denies the allegations in this paragraph against this Defendant.

443. Defendant Harris County denies the allegations in this paragraph against this Defendant.

444. Defendant Harris County denies the allegations in this paragraph against this Defendant.

445. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

446. Defendant Harris County denies the allegations in this paragraph against this Defendant.

447. Defendant Harris County denies the allegations in this paragraph against this Defendant.

448. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in

this paragraph.

449. Defendant Harris County denies the allegations in this paragraph against this Defendant.

450. Defendant Harris County denies the allegations in this paragraph against this Defendant.

451. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

452. Defendant Harris County denies the allegations in this paragraph against this Defendant.

453. Defendant Harris County denies the allegations in this paragraph against this Defendant.

454. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

455. Defendant Harris County denies the allegations in this paragraph against this Defendant.

456. Defendant Harris County denies the allegations in this paragraph against this Defendant.

457. Defendant Harris County makes no answer to the allegations in this paragraph, as

these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

458. Defendant Harris County denies the allegations in this paragraph against this Defendant.

459. Defendant Harris County denies the allegations in this paragraph against this Defendant.

460. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

461. Defendant Harris County denies the allegations in this paragraph against this Defendant.

462. Defendant Harris County denies the allegations in this paragraph against this Defendant.

463. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

464. Defendant Harris County denies the allegations in this paragraph against this Defendant.

465. Defendant Harris County denies the allegations in this paragraph against this

Defendant.

466. Defendant Harris County denies the allegations in this paragraph against this Defendant.

467. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

468. Defendant Harris County denies the allegations in this paragraph against this Defendant.

469. Defendant Harris County denies the allegations in this paragraph against this Defendant.

470. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

471. Defendant Harris County denies the allegations in this paragraph against this Defendant.

472. Defendant Harris County denies the allegations in this paragraph against this Defendant.

473. Defendant Harris County denies the allegations in this paragraph against this Defendant.

474. Defendant Harris County denies the allegations in this paragraph against this

Defendant.

475. Defendant Harris County denies the allegations in this paragraph against this Defendant.

476. Defendant Harris County denies the allegations in this paragraph against this Defendant.

477. Defendant Harris County denies the allegations in this paragraph against this Defendant.

**F. Harris County denies the allegations in this heading.**

478. Defendant Harris County denies the allegations in this paragraph against this Defendant.

479. Admit.

480. Defendant Harris County admits that after investigating the incident it was found that the two officers fabricated observation rounds and were terminated. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

481. Defendant Harris County denies the allegations in this paragraph against this Defendant.

482. Defendant Harris County admits Mr. Goodwin was found on or about October 10, 2013, to be in a single cell with no working toilet surrounded by trash and his own feces in his cell for weeks. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

483. Defendant Harris County admits Mr. Goodwin survived this ordeal. Except as

admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

484. Defendant Harris County admits the Harris County Commissioners Court approved a settlement with Mr. Goodwin. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

485. Defendant Harris County admits that in October 2014, detainee Andre Bonier died in the mental health unit of the Harris County jail in a single cell from natural causes. Defendant Harris County admits the cause of death was acute pancreatitis. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

486. Defendant Harris County admits that Harris County jail medical employees, Pius Ikuopenikan and Jane Emeharole were investigated by Internal Affairs, and it was discovered they had falsified round entries on the observation sheet. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

487. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

488. Defendant Harris County denies the allegations in this paragraph against this Defendant.

489. Defendant Harris County admits that Sheriff Gonzalez was the Sheriff of the Harris

County Jail on February 13, 2017 when Vincent Young died by suicide. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

490. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

491. Defendant Harris County admits the Commission cited Harris County Jail for failing to observe detainees left in a transport van's security department for up to ten hours. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

492. This paragraph contains hearsay news reports to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations in this paragraph. Defendant Harris County makes no answer to the remaining allegations in this paragraph not directed at this Defendant.

493. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations against this Defendant in this paragraph.

494. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in



this paragraph.

495. Defendant Harris County admits that on December 19, 2017, the Commission cited the Harris County Jail after reviewing documentation and video evidence that the jailer made a round within the required time period but did not view the inmate face-to-face every 30 minutes. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

496. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County admits on August 15, 2018 Debora Ann Lyons left her cell to go to the Clinic to receive insulin. While security staff appeared to be distracted during a conversation, Ms. Lyons exited the insulin line, rounded the corner, disappeared from sight and entered an unsecured door to a multipurpose area where she was found hanging inside. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

497. Harris County admits that on August 23, 2018, the Commission cited Harris County Jail after reviewing documentation and video evidence that the jailer made a round within the required time period but did not view the inmate face-to-face every 30 minutes due to the inmate leaving the cellblock for medicine call and never returning. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

498. Defendant Harris County admits that on or around July 29, 2019, Natividad Flores fell from his bunk and hit his head on the floor suffering an injury. Except as admitted,

Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

499. Admit.

500. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

501. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County admits CorreTrak electronic monitoring was implemented at the Harris County Jail. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

502. Defendant Harris County admits the Commission cited the Harris County Jail in December 2020 for failing to timely conduct face-to-face observations on detainees every sixty minutes on detainees and every thirty minutes on detainees known to be suicidal. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

503. Defendant Harris County denies the allegations in this paragraph against this Defendant.

504. Defendant Harris County admits the Commission initially cited the Harris County Jail for being in non-compliance on April 5, 2021, but found deficiencies to be corrected

and the Jail in compliance after conducting a re-inspection on April 9, 2021. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

505. Defendant Harris County admits Rory Ward, Jr. was found unresponsive in his cell on or about May 11, 2021 and transported to Ben Taub Hospital where he died the following day from a head injury. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

506. Defendant Harris County denies the allegations in this paragraph against this Defendant.

507. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations against this Defendant in this paragraph.

508. This paragraph references a dismissed lawsuit that contains hearsay to which no response is required. To the extent a response is deemed necessary, Defendant Harris County admits a suit was filed by detention officers against Sheriff Gonzalez and Harris County Commissioner's Court, but denies the allegations within the suit.

509. This paragraph references a dismissed lawsuit that contains hearsay to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations within the suit.

510. This paragraph references a dismissed lawsuit that contains hearsay to which no response is required. To the extent a response is deemed necessary, Defendant Harris

County denies the allegations within the suit.

511. This paragraph references a dismissed lawsuit that contains hearsay to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations within the suit.

512. This paragraph references a dismissed lawsuit that contains hearsay to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations within the suit.

513. This paragraph references a dismissed lawsuit that contains hearsay to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations within the suit.

514. This paragraph references a dismissed lawsuit that contains hearsay to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations within the suit.

515. This paragraph references a dismissed lawsuit that contains hearsay to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations within the suit.

516. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations against this Defendant in this paragraph.

517. Defendant Harris County admits that in November 2021, the Commission cited the Jail after the inspection team observed multiple checks that were late anywhere between

90 to 144 minutes lapsing between rounds. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

518. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

519. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

520. Defendant Harris County denies the allegations in this paragraph against this Defendant.

521. Defendant Harris County denies the allegations in this paragraph against this Defendant.

522. Defendant Harris County denies the allegations in this paragraph against this Defendant.

523. This paragraph references a dismissed lawsuit that contains hearsay to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations within the suit.

524. Defendant Harris County denies the allegations in this paragraph against this Defendant.

525. Defendant Harris County denies the allegations in this paragraph against this

Defendant.

526. Defendant Harris County denies the allegations in this paragraph against this Defendant.

527. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

528. Defendant Harris County denies the allegations in this paragraph against this Defendant.

529. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

530. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

531. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

532. Defendant Harris County makes no answer to the allegations in this paragraph, as

these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

533. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

534. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

535. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

536. Defendant Harris County denies the allegations in this paragraph against this Defendant.

**G. Harris County denies the allegations in this heading.**

537. Admit.

538. Defendant Harris County denies the allegations in this paragraph against this Defendant.

539. Defendant Harris County admits the CorreTrak Rounds Activity reports had not

been deleted as of April 26, 2022. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

540. This paragraph contains conclusions of law to which no response is required.

541. This paragraph contains conclusions of law to which no response is required.

542. Defendant Harris County admits Plaintiff's counsel confirmed the original request for Mr. Shelton's records.

543. Defendant Harris County admits it requested an opinion from the Texas Attorney General's Office to determine whether it was required to release the records under the Texas Public Information Act.

544. Defendant Harris County admits it received a letter on September 1, 2022 dated August 30, 2022 of the County's duty to preserve evidence and records of Matthew Shelton while in the Harris County Jail. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

545. Defendant Harris County denies the allegations in this paragraph against this Defendant.

546. Defendant Harris County admits the observation logs referenced in this paragraph were accidentally destroyed on or around May 17, 2023. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

547. Defendant Harris County admits the surveillance videos in the JPC and 2L1 prior to the date of Mr. Shelton's death were not preserved and may have contained footage of Mr. Shelton and other individuals in the jail from March 23, 2022 to March 24, 2022. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph



against this Defendant.

548. Defendant Harris County admits the surveillance videos prior to the date of Mr. Shelton's death were not preserved and may have contained footage of Mr. Shelton and other individuals in the jail from March 23, 2022 to March 26, 2022. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

549. Defendant Harris County admits the surveillance videos prior to the date of Mr. Shelton's death were not preserved and may have contained footage of officers conducting rounds activity in the jail from March 23, 2022 to March 26, 2022. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

550. Defendant Harris County denies the allegations in this paragraph against this Defendant.

#### **IV. CAUSES OF ACTION**

##### **A. Americans With Disabilities Act and Rehabilitation Act of 1973 against Defendants Harris County and Harris Health**

551. Defendant Harris County further incorporates its prior responses to this Complaint as if separately set forth. Defendant Harris County admits it is a recipient of federal funds. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

##### **1. Harris County admit allegations in this heading.**

552. This paragraph contains conclusions of law to which no response is required.

553. Defendant Harris County admits Type 1 diabetes is a disability under the ADA and Rehab Act. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

554. Defendant Harris County admits Jail housing and classification, recreation programs, vocational programs, meals, supervision, phone calls, sick call and grievance requests, showers, and even detention so that a person can be brought to court are programs, services, and activities offered by Harris County to all detainees at the Jail. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

555. Defendant Harris County makes no answer to the statements in this paragraph, as these statements are not allegations directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County admits insulin, blood glucose monitoring, and low carbohydrate diets are reasonable accommodations under the ADA and Rehab Act.

556. Defendant Harris County makes no answer to the statements in this paragraph, as these statements are not allegations directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County admits Type 1 diabetics require blood glucose monitoring and insulin.

557. Defendant Harris County makes no answer to the statements in this paragraph, as these statements are not allegations directed against this defendant.

558. Defendant Harris County denies the allegations in this paragraph against this Defendant.

559. Defendant Harris County denies the allegations in this paragraph against this Defendant.

560. Defendant Harris County denies the allegations in this paragraph against this Defendant.

561. Defendant Harris County admits detention officers were required to make observations of Mr. Shelton and all detainees, regardless of their medical status, who were housed in a cell. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

562. Defendant Harris County denies the allegations in this paragraph against this Defendant.

563. Defendant Harris County admits medical care is a service offered to all detainees at the Harris County jail. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

564. Defendant Harris County denies the allegations in this paragraph against this Defendant.

565. Defendant Harris County denies it has a policy or practice in place to deny Type 1 diabetics access to the clinic. The remainder of this paragraph contains conclusions of law to which no response is required.

566. This paragraph contains conclusions of law to which no response is required. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph against this Defendant.

567. This paragraph contains conclusions of law to which no response is required. To the

extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph against this Defendant.

**2. Harris County denies the allegations in this heading.**

568. Defendant Harris County admits Mr. Shelton suffered from Type 1 diabetes, was insulin dependent, and may have required several doses of insulin and glucose monitoring daily to manage his diabetes.

569. Defendant Harris County denies intentionally and deliberately denying Mr. Shelton access to insulin. Defendant Harris County lacks knowledge or information sufficient to form a belief about the truth of the remaining allegations in this paragraph, and on that basis, denies the remaining allegations in this paragraph.

570. Defendant Harris County admits Mr. Shelton was an individual with a qualified disability within the meaning of the ADA and Rehab Act.

**3. Harris County denies the allegations in this heading.**

571. Defendant Harris County admits Mr. Shelton informed Harris County Sheriff's Office medical intake staff that he was a diabetic taking insulin. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

572. Defendant Harris County denies the allegations in this paragraph against this Defendant.

573. Defendant Harris County denies the allegations in this paragraph against this Defendant.

574. Defendant Harris County denies the allegations in this paragraph against this

Defendant.

**4. Harris County denies the allegations in this heading.**

575. This paragraph contains conclusions of law to which no response is required.

576. This paragraph contains conclusions of law to which no response is required.

577. This paragraph contains conclusions of law to which no response is required.

578. This paragraph contains conclusions of law to which no response is required.

579. This paragraph contains conclusions of law to which no response is required.

580. Defendant Harris County denies the allegations in this paragraph against this Defendant.

581. Defendant Harris County denies the allegations in this paragraph against this Defendant.

582. Defendant Harris County denies the allegations in this paragraph against this Defendant.

**5. Harris County denies the allegations in this heading.**

583. Defendant Harris County denies the allegations in this paragraph against this Defendant.

584. Defendant Harris County denies the allegations in this paragraph (a. – p.) against this Defendant.

585. Defendant Harris County denies the allegations in this paragraph against this Defendant.

586. Defendant Harris County denies the allegations in this paragraph against this Defendant and denies the Plaintiffs are entitled to any of the requested relief.

587. Defendant Harris County admits it accepted federal funding for programs at the Harris County Jail. Except as admitted, Defendant Harris County denies any remaining allegations in this paragraph against this Defendant.

**B. Fourteenth Amendment § 1983 *Monell* Claim Against Defendants Harris County and Harris Health – Deliberate Indifference to Medical Care and Unconstitutional Conditions of Confinement**

588. This paragraph asserts no allegation against this Defendant which requires a response. Defendant Harris County further incorporates its prior responses to this Complaint as if separately set forth.

589. Defendant Harris County denies the allegations in this paragraph against this Defendant.

590. Defendant Harris County denies the allegations in this paragraph against this Defendant.

591. Defendant Harris County denies the allegations in this paragraph against this Defendant.

592. Defendant Harris County denies the allegations in this paragraph against this Defendant.

593. Defendant Harris County makes no answer to the statements in this paragraph, as these statements are not allegations directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph against this Defendant.

594. Defendant Harris County admits Sheriff Gonzalez was the policymaker for the jail. Except as admitted, Defendant Harris County denies any remaining allegations in this

paragraph against this Defendant.

595. Defendant Harris County denies the allegations in this paragraph (a. – ee.) against this Defendant.

596. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

597. Defendant Harris County denies the allegations in this paragraph against this Defendant.

598. Defendant Harris County denies the allegations in this paragraph against this Defendant.

599. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

600. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

601. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

602. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

603. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in

this paragraph.

604. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

605. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph.

606. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph against this Defendant.

607. Defendant Harris County denies the allegations in this paragraph against this Defendant.

608. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph against this Defendant.

609. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in



this paragraph against this Defendant.

610. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph against this Defendant.

611. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph against this Defendant.

612. Defendant Harris County denies the allegations in this paragraph against this Defendant.

613. Defendant Harris County denies the allegations in this paragraph against this Defendant.

**C. Fourteenth Amendment § 1983 Claims Against Defendant Harris County and Sheriff Gonzalez Individually – Deliberate Indifference to Safe Housing, Failure to Monitor, and Unconstitutional Conditions of Confinement**

614. This paragraph asserts no allegation against this Defendant which requires a response. Defendant Harris County further incorporates its prior responses to this Complaint as if separately set forth.

615. Defendant Harris County denies the allegations in this paragraph against this Defendant.

616. Defendant Harris County denies the allegations in this paragraph against this Defendant.

617. Defendant Harris County denies the allegations in this paragraph against this Defendant.

618. Defendant Harris County denies the allegations in this paragraph against this Defendant.

619. Defendant Harris County denies the allegations of ratification in this paragraph (a. – q.) against this Defendant.

620. Defendant Harris County denies the allegations in this paragraph against this Defendant.

621. Defendant Harris County denies the allegations in this paragraph against this Defendant.

622. Defendant Harris County denies the allegations in this paragraph against this Defendant.

623. Defendant Harris County denies the allegations in this paragraph against this Defendant.

624. Defendant Harris County denies the allegations in this paragraph against this Defendant.

625. Defendant Harris County denies the allegations in this paragraph against this Defendant.

626. Defendant Harris County denies the allegations in this paragraph against this Defendant.

627. Defendant Harris County denies the allegations in this paragraph against this Defendant.

628. Defendant Harris County denies the allegations in this paragraph against this Defendant.

629. Defendant Harris County denies the allegations in this paragraph against this Defendant.

630. Defendant Harris County denies the allegations in this paragraph against this Defendant.

631. Defendant Harris County denies the allegations in this paragraph against this Defendant.

632. Defendant Harris County denies the allegations in this paragraph against this Defendant.

633. Defendant Harris County denies the allegations in this paragraph against this Defendant.

634. Defendant Harris County denies the allegations in this paragraph against this Defendant.

635. Defendant Harris County denies the allegations in this paragraph against this Defendant.

636. Defendant Harris County denies the allegations in this paragraph against this Defendant.

**D. Denial of Access to Courts Against Defendants Harris County and Sheriff  
Gonzalez Only under 42 U.S.C. § 1983**

637. This paragraph asserts no allegation against this Defendant which requires a response. Defendant Harris County further incorporates its prior responses to this

Complaint as if separately set forth.

638. Defendant Harris County makes no answer to the allegations in this paragraph, as this claim has been dismissed by the Court.

639. Defendant Harris County makes no answer to the allegations in this paragraph, as this claim has been dismissed by the Court.

640. Defendant Harris County makes no answer to the allegations in this paragraph, as this claim has been dismissed by the Court.

641. Defendant Harris County makes no answer to the allegations in this paragraph, as this claim has been dismissed by the Court.

642. Defendant Harris County makes no answer to the allegations in this paragraph, as this claim has been dismissed by the Court.

643. Defendant Harris County makes no answer to the allegations in this paragraph, as this claim has been dismissed by the Court.

644. Defendant Harris County makes no answer to the allegations in this paragraph, as this claim has been dismissed by the Court.

**E. 42 U.S.C. § 1983 Claims Defendant Individual Detention Officers and Sheriff Gonzalez**

645. This paragraph asserts no allegation against this Defendant which requires a response. Defendant Harris County further incorporates its prior responses to this Complaint as if separately set forth.

646. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

647. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph against this Defendant.

648. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

649. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph against this Defendant.

650. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph against this Defendant.

651. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

652. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

653. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph against this Defendant.

654. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

655. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph against this Defendant.

656. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant. To the extent Defendant Harris County is required to make an answer, Defendant Harris County denies the allegations in this paragraph against this Defendant.

## **V. DAMAGES**

657. This paragraph asserts no allegation against this Defendant which requires a response. Defendant Harris County further incorporates its prior responses to this Complaint as if separately set forth.

658. This paragraph including subsections (A.- F.), contain legal conclusions to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations and denies the Plaintiff is entitled to any of the requested relief.

659. This paragraph including subsections (A.- H.), contain legal conclusions to which no response is required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations and denies the Plaintiff is entitled to any of the requested relief.

**VI. PUNITIVE DAMAGES**  
**(Against Individual Defendants in their individual capacities only)**

660. This paragraph asserts no allegation against this Defendant which requires a response. Defendant Harris County further incorporates its prior responses to this Complaint as if separately set forth.

*A. Punitive Damages Against Individual Detention Officers Only*

661. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

662. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

663. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

664. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

665. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

666. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

667. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

668. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

669. Defendant Harris County makes no answer to the allegations in this paragraph, as these allegations are not directed against this defendant.

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*B. Punitive Damages Against Sheriff Gonzalez*

679. Defendant Harris County makes no answer to the allegations in this paragraph, as



these allegations are not directed against this defendant.

#### **VII. ATTORNEYS' FEES**

680. This paragraph contains legal conclusions to which no response is required. To the extent a response is deemed necessary, Defendant Harris County incorporates its prior responses to this Complaint as if separately set forth and denies the allegations.

#### **VIII. JURY DEMAND**

681. Defendant Harris County admits Plaintiff demanded a trial by jury.

#### **IX. PRAYER**

This paragraph contains Plaintiff's prayer for relief to which no response should be required. To the extent a response is deemed necessary, Defendant Harris County denies the allegations and denies that Plaintiffs are entitled to any relief whatsoever.

#### **AFFIRMATIVE DEFENSES**

Defendant Harris County asserts that Plaintiffs' Complaint fails to state a cause of action against Defendant Harris County upon which relief may be granted. Defendant Harris County asserts the Plaintiff has failed to state an actionable claim against it, upon which relief may be granted under U.S. Constitution, 42 U.S.C. § 1983.

Defendant Harris County asserts that no deprivation of Plaintiffs' federal rights occurred in connection with the incident made the basis of this lawsuit.

Defendant Harris County denies all allegations of wrongdoing, including but not limited to violations of common law, statutory and operational standards, negligence, deliberate indifference, and unconstitutional policy or custom.

If Plaintiff was injured or damaged as alleged, such injuries were the result of his

own intentional, illegal, or otherwise wrongful conduct.

If the Plaintiff was injured and damaged as alleged in the complaint, such injuries and damages were the result of his own sole or contributory negligence and/or her assumption of risk.

If the Plaintiff was injured or damaged as alleged in the complaint, such injuries and damages were the result of a person or persons other than Defendant Harris County.

The Plaintiff may have failed to mitigate damages.

The action may be barred by the statute of limitations.

The Plaintiff may have failed to exhaust his administrative remedies and/or failed to comply with mandatory filing requirements.

#### **JURY DEMAND**

Defendant requests a trial by jury.

#### **RESERVATION OF RIGHTS**

Defendant Harris County reserves the right to rely on any other defenses which may become available through further investigation or discovery, as well as the right to delete any defenses previously raised herein, or to amend any responses to demonstrate that there is no such basis for said defense or response to such allegation.

WHEREFORE, PREMISES CONSIDERED, Harris County requests that Plaintiffs take nothing by this suit, that it recovers costs and all other relief that it may be entitled to in law and equity.

Date: January 2, 2025.

Respectfully submitted,

**CHRISTIAN D. MENEFEE**  
HARRIS COUNTY ATTORNEY

**JONATHAN G. C. FOMBONNE**  
DEPUTY COUNTY ATTORNEY AND  
FIRST ASSISTANT

**NATALIE G. DELUCA**  
MANAGING COUNSEL,  
DEFENSIVE LITIGATION, EMPLOYMENT,  
& REAL ESTATE DIVISIONS

By: /s/ Gregory Burnett  
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**OFFICE OF THE HARRIS COUNTY ATTORNEY**  
1019 Congress Street  
Houston, Texas 77002

**ATTORNEYS FOR HARRIS COUNTY**

### **CERTIFICATE OF SERVICE**

I certify that, pursuant to Federal Rules of Civil Procedure, a true copy of the instrument to which this Certificate is attached was duly served upon each party to this cause on the CM/ECF system, which will automatically serve a Notice of Electronic Filing to the parties.

/s/ Gregory Burnett  
GREGORY BURNETT